

**Amendment No. 3 to HB2055****Fitzhugh  
Signature of Sponsor****AMEND Senate Bill No. 2038\*****House Bill No. 2055**

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, is amended by adding Sections 2 through 5 of this act as a new part.

SECTION 2. This act shall be known as the "Child Nutrition and Wellness Act of 2005" and is enacted for the purpose of educating the public concerning child nutrition and wellness issues and for advocating initiatives to improve the nutrition and wellness of children.

SECTION 3. As used in this part, unless the context otherwise requires:

(1) "Advisory council" means an advisory council on child nutrition and wellness to be appointed by the commissioner.

(2) "Commissioner" means the commissioner of health.

(3) "Department " means the department of health.

(4) "Office" means the office of child nutrition and wellness in the department, which is created by this act.

SECTION 4.

(a) Subject to the appropriation of funds in the General Appropriations Act, the commissioner shall appoint an advisory council to advise him and the office regarding child nutrition and wellness issues. The commissioner shall utilize the existing Tennessee Healthy Weight Network in selecting persons for the advisory council.

(b) The advisory council shall have the following responsibilities:

(1) To advocate for the wellness of children and to recommend appropriate forums, programs, and initiatives to educate the public regarding child nutrition and wellness;

(2) To develop nutrition and physical activity standards for children;

(3) To gather relevant data on child nutrition and wellness and to recommend surveys and other means to gather additional data, if deemed necessary; and

(4) To develop a comprehensive long-term strategy, including funding and evaluation mechanisms, to promote child nutrition and wellness in various settings, including but not limited to schools, child care centers, health care facilities, and community facilities such as churches, shopping centers, health clubs, and other areas frequented by children.

(c) The commissioner shall determine the number of persons to serve on the advisory council, appoint a chairperson, and establish the procedures under which the council shall operate.

(d) The advisory council shall serve without compensation and shall meet at least quarterly.

#### SECTION 5.

(a) Subject to the appropriation of funds in the General Appropriations Act, the Office of Child Nutrition and Wellness is created in the department.

(b) The office shall coordinate the meetings of the advisory council and shall perform the following functions:

(1) Assist the commissioner in identifying and establishing priorities for programs, services, and resources to promote better child nutrition and wellness;

(2) Serve as a clearinghouse for information on child nutrition and wellness;

(3) Identify and recommend sources of funding for promotion of child nutrition and wellness and seek funding from such sources;

(4) Make recommendations to the commissioner regarding programs that address child nutrition and wellness for inclusion in the department's annual budget; and

(5) Conduct public educational forums to raise public awareness about child nutrition and wellness issues.

SECTION 6. Tennessee Code Annotated, Section 4-29-228(a), is amended by adding the following as a new item:

( ) Advisory council on child nutrition and wellness.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.